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REPORT OF THE ANNUAL MEETING COMMITTEE

FOURTEENTH ANNUAL MEETING OF THE American Academy of Political and Social Science

Philadelphia, April 8 and 9, 1910.

The essentially national character of the Academy's organization and activities has never been as clearly emphasized as during the recent annual meeting. The subject selected for discussion, "The Administration of Justice in the United States," attracted widespread attention, and it is safe to say that the discussions had a real influence on the public opinion of the country.

The meeting was considered of sufficient importance to justify the appointment of official delegates by the governors of nine states, and the presidents of twenty-two bar associations. The names of those composing these delegations are appended to this report.

All the sessions were largely attended, including the morning session of Saturday, April 9th, which attracted widespread attention.

The thanks of the Academy are due the members of the local Reception Committee, of which Samuel F. Houston was president, and to the Ladies' Reception Committee, of which Mrs. Charles Custis Harrison was chairman.

We also wish to express our obligation to Otto C. Mallery for his entertainment of the speakers on Friday evening, April 8th.

The Academy is also under deep obligation to those who so generously contributed to the special annual meeting fund.

During the period of the annual meeting the courtesies of the Manufacturers' Club, the Union League, the City Club, the University Club and the Acorn Club were extended to the out-of-town members and guests of the Academy, and for these courtesies we desire to make due acknowledgment.

The Academy is under obligations to the City Club for special privileges enjoyed during the sessions, and to the Manufacturers' Club for the reception tendered the Vice-President of the United States on the evening of April 9th.

In addition to the formal papers contained in the proceedings, we give herewith the briefer remarks made by the presiding officers at the various sessions.

SESSION, FRIDAY AFTERNOON, APRIL 8TH.

REMARKS OF HON. JOHN P. ELKIN, JUSTICE OF THE SUPREME COURT OF PENNSYLVANIA.

"Fellow-Members and Others: I was informed when I accepted the invitation to preside at your first session that the presiding officer was not expected to make any formal address.

"A few days ago, your good Dr. Rowe, to whom this society owes so much, wrote me that if I would reduce my informal introductory remarks to writing, he would be much obliged, and so I have reduced them."¹



SESSION, FRIDAY EVENING, APRIL 8TH.

INTRODUCTORY REMARKS OF THE PRESIDENT OF THE ACADEMY, DR. L. S. ROWE, INTRODUCING HON. JAMES B. DILL AS PRESIDING OFFICER OF THE SESSION.

"It is a notable fact that in the movement for the conservation of natural resources increasing attention is being paid to the care of children as the greatest of national resources.

"Much has been done toward the elimination of the preventable diseases; much has been done toward the reduction of infant mortality, but we are only beginning to realize how much can be done toward the preservation of adolescent character.

"In the national awakening that has taken place the judiciary has played an important part, and in the constructive work which now confronts the country the importance of the influence of the judiciary will in no way be diminished. It is, therefore, most fitting that at this session the presiding officer should have been selected from the highest court of one of our adjacent states. I have the honor of presenting to you, as presiding officer of the evening, the Hon. James B. Dill, Justice of the Court of Errors and Appeals of New Jersey."

REMARKS OF HON. JAMES B. DILL, JUSTICE OF THE COURT OF ERRORS AND APPEALS OF NEW JERSEY.

"I have, ladies and gentlemen, on several occasions had the pleasure of speaking in this hall, but never with so much pleasure as to-night, for I have nothing to do, having only to introduce the speakers of the evening.

"The topic under discussion to-night goes with force to every one. Many years ago one of the great writers said in a metaphorical way that it was easier to crush the eggs of all the serpents in the sand than to pursue one with a club when it comes into its full force and energy, so when the

¹ The more extended remarks of Justice Elkin appear in the proceedings.

American people, through the courts of last resort, determine whether this man is right, or this man should be sent into the next world, we are crossing back and forth along a very delicate line, which makes the state, you and me, my friend, responsible for the crime that is permitted, and the career of crime in the individual, so to-day this topic becomes of interest to us because we are attempting in advance to set aside and prevent the tribe which fills our state prisons and penal institutions. The career of the juvenile, to paraphrase my own expression, is the fault of the community, the crime is that of the individual himself.

"It is with a great deal of pleasure that I introduce to you a gentleman who has since 1870 been a classmate of mine, Dr. Hart, who is experienced and able to talk to you, because he has not only read and observed, but acted. In his capacity as director of the department of child-helping, of the Russell Sage Foundation, in New York, he is brought in contact with all these things, and he is able to talk to you about what he knows, not what he guesses."

SESSION OF SATURDAY MORNING, APRIL 9TH.

The introductory remarks of the presiding officer of this session, Hon. Charles P. Neill, United States Commissioner of Labor, are printed in the proceedings.

SESSION OF SATURDAY AFTERNOON, APRIL 9TH.

PRESIDING OFFICER, HON. EDWIN S. STUART, GOVERNOR OF PENNSYLVANIA.

Governor Stuart confined his remarks to introducing the speakers of the afternoon.

SESSION OF SATURDAY EVENING, APRIL 9TH.

REMARKS OF THE PRESIDENT OF THE ACADEMY, DR. L. S. ROWE, IN INTRODUCING
HON. JAMES S. SHERMAN, VICE-PRESIDENT OF THE UNITED
STATES, AS PRESIDING OFFICER OF THE SESSION.

"I would be guilty of larceny in its highest degree if I were to take valuable time from this meeting in unnecessary words of introduction. With so distinguished a presiding officer as the Vice-President of the United States, any words of introduction are not only superfluous, but distinctly out of place. I have the honor, therefore, of presenting this audience to the Hon. James S. Sherman, who has done us the honor to accept the presidency of this session."

The remarks of Vice-President Sherman, in introducing Hon. Frederick C. Stevens, are incorporated in the printed proceedings.

REMARKS OF THE VICE-PRESIDENT OF THE UNITED STATES IN INTRODUCING
ARTHUR VON BRIESE, PRESIDENT OF THE LEGAL AID SOCIETY, NEW YORK.

"Not being a musical program, I suppose encores cannot be given, so Brother Stevens is not to be called upon to respond to your kind applause.

"The managers of the meeting have requested me to suggest to those that follow, though I do not know why they should have neglected it until now, that the speakers limit their remarks to fifteen minutes. Having a full confidence in the honesty of the public men of the present day, some of whom are to be seen on the stage, I am going to put my watch here upon the table. It may call to the mind of the speakers a feeling akin to that expressed by the eminent Methodist divine, when he placed his watch upon the pulpit at the beginning of his discourse, saying that he did so lest in his contemplation of eternity he should lose all thought of time.

"Brother Stevens has spoken of the fact that every two years in state and nation they turn out laws, which brings to my mind a sad recollection that every two years they sometimes turn out lawmakers. I have a very distinct recollection of having to respond some years ago to a very earnest invitation on the part of my constituents to tarry at home with them for a couple of years. In such cases one is not permitted to send regrets. It reminds me of the experience of one of my colleagues, who was prominent in the South, and who spent his boyhood on a large plantation in the slave days. His father was a slave owner. All the slaves had a small amount of work parceled out to them on the Sabbath Day, save one old brother. He never had to work because he had been called to speak to the flock in the little church. One Sunday morning my colleague found the old man sitting upon the woodpile, with downcast face and expression. When the boy asked why he was not in church he said: 'I never goin' to preach to those niggers no mo'. 'What is the matter, Uncle Marsh?' asked the boy, but the nigger would for a long time give no reply. 'The niggers don't appreciate good preaching,' he said. 'There is some other reason than that,' said the lad, 'and I will find it out, so you had better tell me now.' 'Well, master,' was the reply, 'that there congregation done send me my resignation.'

"I do not quite agree with my good friend Stevens in the intimation that we are getting gradually worse. Now, I have not lived as long as Methuselah, and the black hair and cheerful expression of my school companion whom I see sitting in your midst is proof that I have been here but a short time. Yet during these decades it seems to me that I can say that the general moral tone of the world in which I have lived is not retrograding, but is improving. I suggested a while ago that we must compare ourselves with the rest of the world. If we do not have quite the same respect for the law in all its little minor details, it possibly is owing to the fact that the lawmakers do make punishments fit the crime, rather than make it after the perpetuation of the crime, as they do in some governments under the sun. For instance, we would not think here that it is the proper thing to sever the thread of a man's life simply for stealing a spool of thread, as would be done in some quarters of the world.

"But I must not forget that I am here to introduce the next speaker of the evening, and I am not going to introduce him as Mark Twain once introduced himself, saying to his audience, 'Mark Twain will address you upon such-and-such a subject, for the reason that he knows very little about anything else, and does not know much about anything.' This gentleman whom I shall next introduce is a man who has shown not simply by his check that he has an interest in public affairs, but he has contributed of his brain and his brawn toward the good of mankind. He has occupied positions of trust, positions in which all of his knowledge and all of his intellect have been exhibited to advantage; and I have pleasure in introducing the gentleman who has been for years the president of the Legal Aid Society of New York, Arthur von Briesen."

REMARKS OF HON. JAMES S. SHERMAN, VICE-PRESIDENT OF THE UNITED STATES, IN INTRODUCING HIS EXCELLENCY, THE MEXICAN AMBASSADOR, SEÑOR FRANCISCO LEÓN DE LA BARRA.

"I call attention to the fact that my confidence in mankind has not been tested in vain—the watch is still here.

"Of the delights of a public service of well-nigh a quarter of a century in Washington, none was greater than intimate association with that very extraordinary character who for substantially a generation represented a portion of this goodly city of Philadelphia in the halls of Congress—Fig Iron Kelly—and with that other man, close association with whom inspired not only admiration, but warm friendship, and friendship intensified by the fact that he was born a political ally of my father (I myself not being a political ally of either of them); I refer to former speaker and great Pennsylvanian and statesman, Samuel J. Randall; or that other Pennsylvanian and representative from this city—unique, kind, cordial—dear little Charlie O'Neill.

"With all the delights of this service, none is greater than that which has come in later years in close association with the representatives of great powers of the world, sent here to our court, and I want to testify to the fact that to-day, whatever it may have been in some former generation, when we were not quite as great as we are now, the diplomatic corps is made up of men of ability, genius and high-minded character.

"It is our good fortune to have a representative of the diplomatic corps here to-night, and I have much pleasure in presenting the ambassador from our sister republic, Mexico, Señor Francisco León de la Barra."

REMARKS BY THE MEXICAN AMBASSADOR TO THE UNITED STATES, SEÑOR FRANCISCO LEÓN DE LA BARRA.

"Your country not only commands the admiration of the world by its magnificent industrial development and commercial and agricultural power, but by its prodigious, moral force acquired through conquests in the realms of spiritual life.

"Man cannot longer display his energy as of old in crusades and in conquering a new world. To-day man gives to the useful his most strenuous energy; he develops the natural treasures of the earth, transforming them by industry and diffusing them by commerce. But man's activity manifests itself also in the domain of art and science, and principally in the subject matter of the Academy's studies.

"In my country this activity appears in a practical and useful way by the care with which laws are elaborated without forgetting the teachings of modern science and the ethnological and social conditions of Mexico, and also by the pertinent and vigorous application of legal precepts. Although it would be an easy task to prove it, I must, through lack of time, content myself with the bare affirmation that in my country the respect for law is complete, and that this fact explains the long period of peace which Mexico has enjoyed.

"I consider it to be a true saying that the people have the government that they deserve. In my esteem, the mere fact that the Mexican Government has always complied with the obligations of treaties and international law, shows plainly that in the Mexican people prevails the tendency to respect the law.

"Here allow me to recall the public and eloquent testimony of Gen. Powell Clayton, former able American Ambassador to Mexico, expressing on a solemn occasion his unbounded esteem of the judicial decisions of the Mexican Supreme Court of Law, which always bears the seal of the most profound knowledge of the law combined with the most honorable character.

"The spectacle which is presented to-day by this assemblage of men of science and statesmen bent upon the study of the forms in which respect for law appears in your country, is soothing to the mind and shows a most interesting aspect of American thought, already exposed by your great Franklin in his famous interrogatory before the House of Commons. This spectacle is both stimulating and exemplary. Ladies and gentlemen, under the impression of this sentiment of hope and consolation, I express my most heartfelt wishes for the extension of the influence of the Academy and similar institutions in the promotion of science and the prosperity of this great republic."

REMARKS OF HON. JAMES S. SHERMAN, VICE-PRESIDENT OF THE UNITED STATES, IN INTRODUCING PROF. GEORGE W. KIRCHWEY,
OF COLUMBIA UNIVERSITY, NEW YORK.

"We have had the pleasure of listening to one of the great legislators of the country; then to a lawyer who is proud of the fact that he never held public office, and now we have listened with much delight to the representative of a foreign government. We are about to listen to one who has not held public office, but who has performed a public trust, and a great public trust, because I believe that he or she who molds the thought and character of the young man and young woman in our schools and in our colleges deserves at the hands and in the minds of his fellow-men the highest and the richest possible encomiums.

"I have pleasure in introducing, as the next speaker of the evening, Professor Kirchwey, of Columbia University."

CLOSING REMARKS OF HON. JAMES S. SHERMAN, VICE-PRESIDENT OF THE UNITED STATES.

"Ladies and Gentlemen: This completes the program, which has been very delightful to you and to me—save only the part which I have occupied therein, without any limitation, as the professor had intimated, and with nobody sufficiently unkind, had there been any limitation, to invoke the rule to close me out. I want to say just this single word in conclusion: That no community, as a whole, measures up to the lofty ideas of its best citizens, nor does any community sink to the degradation of its lowest scum. Wherever in Pennsylvania, or wherever throughout this country, or throughout the world laws are passed after judicious and careful thought, and interpreted and enforced by just and considerate men, such laws are more readily accepted and obeyed by the people.

"I am not of those, as I said before, who are pessimists. I believe the definition of a pessimist, made long ago, was the correct one—that the pessimist was he who, given his choice between two evils, took both. I am an optimist, and I still believe, after listening to all the speeches of the evening—and I think from those speeches that belief is intensified—that we are nearer the millenium to-day than we ever were before in our time. We have never lynched as good a man as they did 1900 years ago, and they will never lynch as good a man again, and nobody will dispute that proposition, I am sure. I am also sure that with the spread of education in this country—you know we are educating annually 20,000,000 students under twenty years of age, and spending one-third as much for education as all the rest of the world—we are spreading education and civilization not only throughout our own people, but throughout the world, and with this spirit in our midst, acting as a focus to extend it beyond our own borders, I believe, as time goes on, all laws will not cease to be judicious, and the people will bow to them with ever-increasing deference."

CLOSING REMARKS OF THE PRESIDENT OF THE ACADEMY IN DECLARING THE FOURTEENTH ANNUAL MEETING ADJOURNED.

"May I have your attention for one moment before we adjourn. In bringing our annual meeting to a close, I want to extend the thanks of the Academy to our Vice-President, not only for coming here this evening, but also for his great kindness in meeting an emergency situation. I wrote to him a number of times that we would not expect an address, and when I met him at the station this afternoon, I said to him: 'Mr. Vice-President, until this morning I had expected to have with us both Senators Borah and Smoot, and at four o'clock this afternoon I received word that they would not come, for reasons that were good and sufficient. Now, we must call upon you in this emergency to make an address,' and to this call he generously responded.

"Ladies and gentlemen, I feel, furthermore, that we owe a special debt of gratitude to all who have spoken at this annual meeting, but especially to those who were called upon at the last moment.

"It was at one o'clock this afternoon that I called His Excellency, the Mexican Ambassador, on long distance, and told him that I wanted to have his consent to call upon him and to this he generously responded.

"It was at five o'clock this afternoon that I finally arranged to have Professor Kirchwey speak to you, and at seven o'clock Dr. Talcott Williams, whom we have not been able to hear because of the advancing hour, also generously agreed to make his contribution. Much as we regret the absence of Senators Borah and Smoot, as large as their contribution would have been to the discussion of the evening, I think that we will go away feeling that we have had the full measure, not only of discussion, but of fruitful inspiration and instruction.

The fourteenth annual meeting of the Academy has now come to a close."

OFFICIAL DELEGATIONS AT THE FOURTEENTH ANNUAL MEETING.

DELEGATIONS APPOINTED BY THE GOVERNORS OF THE FOLLOWING STATES:

1. Colorado.
2. Florida.
3. Kentucky.
4. Minnesota.
5. Missouri.
6. Nebraska.
7. New York.
8. North Carolina.
9. Ohio.

DELEGATIONS APPOINTED BY BAR ASSOCIATIONS:

1. American Bar Association.
2. Pennsylvania—
 - Pennsylvania Bar Association.
 - Law Association of Philadelphia.
 - Lawyers' Club of Philadelphia.
 - Allegheny County Bar Association.
 - Bradford County Bar Association.
 - Elk County Bar Association.
 - Law Association of Indiana County.
 - Montgomery County Bar Association.
 - Northampton County Bar Association.

- Union County Bar Association.
- Warren County Bar Association.
- Washington County Bar Association.
- 3. New York—
 - Association of the Bar of the Borough of the **Bronx**.
 - State Bar Association.
- 4. New Jersey—
 - New Jersey State Bar Association.
 - Camden County Bar Association.
- 5. Connecticut—
 - Connecticut State Bar Association.
 - Hartford County Bar Association.
- 6. Delaware—
 - Bar Association of Kent County.
- 7. Illinois—
 - Patent Law Association of Chicago.
- 8. Indiana—
 - State Bar Association of Indiana.